

Message Text

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ACTION DLOS-07

INFO OCT-01 EUR-25 IO-14 ISO-00 COA-02 EB-11 COME-00 INT-08

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R 301551Z SEP 74

FM AMEMBASSY OSLO

TO SECSTATE WASHDC 8780

INFO AMEMBASSY BONN

AMEMBASSY COPENHAGEN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY WARSAW

AMEMBASSY REYKJAVIK

AMEMBASSY STOCKHOLM

USMISSION USUN

USMISSION GENEVA

C O N F I D E N T I A L SECTION 1 OF 2 OSLO 4441

E.O. 11652: GDS

TAGS: EFIS PLOS NO

SUBJ: FISHING - NORWAY TO ESTABLISH TRAWL FREE ZONES AND 50-MILE
LIMIT

REF: OSLO 3781

SUMMARY: ON SEPTEMBER 26 NORWAY ANNOUNCED IT WOULD INTRODUCE
TRAWL FREE ZONES OFF ITS NORTH COAST AND WOULD EXTEND ITS
FISHING LIMITS TO 50 MILES IN 1975. JENS EVENSEN WAS RELIEVED
OF HIS DUTIES AS COMMERCE MINISTER TO NEGOTIATE THESE ACTIONS
WITH AFFECTED COUNTRIES. SINCE INTRODUCTION OF THE 50-MILE
LIMIT WILL PROBABLY BE DEFERRED UNTIL AFTER THE LOS MEETING
IN MARCH IN THE HOPE THAT MULTILATERAL ACTION WILL BE TAKEN
THERE AND SINCE THE EMBASSY UNDERSTANDS THAT ONLY ONE
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RESTRICTED TRAWL FREE ZONE IS ACTUALLY CONTEMPLATED,

THE ACTION IS EXTREMELY LIMITED. SOME MOVEMENT WAS CONSIDERED NECESSARY TO MEET MOUNTING POLITICAL PRESSURE, AND NORWEGIAN OFFICIALS HAVE TOLD THE EMBASSY THAT WHAT WAS DECIDED UPON WAS THE LEAST THEY FELT THEY COULD DO. PRIVATELY NORWEGIANS RECOGNIZE THE QUESTIONABLE LEGALITY OF WHAT IS PLANNED, BUT HOPE FOR UNDERSTANDING FROM AFFECTED COUNTRIES. IT REMAINS TO BE SEEN, HOWEVER, WHETHER DEMANDS IN NORWAY FOR FURTHER ACTION CAN BE SUCCESSFULLY KEPT UNDER WRAPS BY THIS LIMITED INITIATIVE UNTIL THE NEXT LOS CONFERENCE IN MARCH. THE ISSUE IS EXPECTED TO BE THE FOCUS OF DEBATE WHEN PARLIAMENT OPENS SHORTLY. END SUMMARY.

1. THE NORWEGIAN GOVERNMENT ANNOUNCED ON SEPTEMBER 26 THAT IT WOULD EXTEND ITS FISHING LIMITS OFF NORTH NORWAY DURING 1975. A PRELIMINARY EXTENSION OF 50 MILES IS FORSEEN. AS AN IMMEDIATE MEASURE NEGOTIATION OF TRAWL FREE ZONES OFF NORTH NORWAY WILL BE UNDERTAKEN WITH AFFECTED COUNTRIES. THE ANNOUNCEMENT PLEDGES CONTINUED COOPERATION WITHIN THE FRAMEWORK OF THE LAW OF THE SEA CONFERENCE "WHICH WILL CONCLUDE IN 1975" AS WELL AS INCREASED EFFORTS TO GAIN ACCEPTANCE OF A 200-MILE ECONOMIC ZONE. IT ALSO PROMISES THAT THE GOVERNMENT WILL MAKE SPECIAL EFFORTS TO ACT IN CONFORMITY WITH INTERNATIONAL LAW. THE MEASURES ARE JUSTIFIED FOR FISH CONSERVATION REASONS AND, IN THE CASE OF THE TRAWL FREE ZONES, TO AVOID THE DIFFICULTIES IN RECENT YEARS WITH TRAWLERS TEARING UP THE STATIONARY GILL NETS AND THE LONG LINES USED BY COASTAL FISHERMEN. SPECIAL MENTION IS MADE OF THE BREAKDOWN OF THE ARCTIC COD QUOTA AGREEMENT BETWEEN NORWAY, THE U.K., AND THE USSR. JENS EVENSEN, NORWAY'S LEADING LOS EXPERT, HAS BEEN TEMPORARILY RELIEVED OF HIS DUTIES AS COMMERCE MINISTER TO HANDLE THE NEGOTIATIONS WITH AFFECTED COUNTRIES, AND HIS UNDER SECRETARY, EINAR MAGNUSSEN, HAS BEEN APPOINTED MINISTER WHILE EVENSEN IS AWAY.

2. SOME SORT OF ACTION HAS BEEN EXPECTED SINCE THE LOS CONFERENCE IN CARACAS FAILED TO MOVE ON EXTENDED FISHING ZONES. PRESSURE FOR UNILATERAL ACTION HAS IN-
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CREASED, AND THE GOVERNMENT HAS UNDERTAKEN A SERIES OF CONSULTATIONS WITH FISHING INTERESTS IN NORTHERN NORWAY WHERE THE DEMAND FOR EXTENSION IS STRONGEST. FISHERMEN'S UNIONS IN NORTH NORWAY HAVE VOTED FOR EXTENSION TO 50 MILES BY JANUARY 1, 1975 FROM LOFOTEN AT APPROXIMATELY THE 68TH PARALLEL TO THE SOVIET BORDER. THE LABOR PARTY'S FISHERIES COMMITTEE ITSELF SUPPORTED A 50-MILE LIMIT DURING 1975, TRAWL FREE ZONES AS EARLY AS JANUARY 1, 1975, AND EVENTUAL

ADOPTION OF A 200-MILE ECONOMIC ZONE. ALL OTHER PARTIES
ON BOTH LEFT AND RIGHT OF LABOR HAVE ALSO SUPPORTED SOME
FORM OF ACTION.

3. THE GOVERNMENT'S CAREFULLY WORDED STATEMENT IS CLEARLY
A HOLDING ACTION DESIGNED TO CONTAIN PRESSURE FOR UNILATERAL
EXTENSION UNTIL AFTER THE NEXT SESSION OF THE LOS CONFERENCE
IN GENEVA WHILE THROWING A BONE IN THE FORM OF TRAWL
FREE ZONES TO PROPONENTS OF PROMPT UNILATERAL ACTION.
APPOINTMENT OF EVENSEN TO NEGOTIATE THE TRAWL FREE ZONES
WITH AFFECTED COUNTRIES -- PRINCIPALLY THE U.K., WEST
GERMANY, POLAND, FRANCE, EAST GERMANY AND THE USSR -- ALSO
LEND THE PROGRAM AN AURA OF URGENCY AND IMPORTANCE.

4. ALTHOUGH THE LOCATION OF THE TRAWL FREE ZONES HAS NOT
BEEN ANNOUNCED, DIRECTOR GENERAL FOR LEGAL AFFAIRS ELIASSEN
IN THE FOREIGN MINISTRY TOLD THE EMBASSY LAST WEEK IN CON-
FIDENCE THAT ONLY ONE SUCH ZONE WAS ACTUALLY CONTEMPLATED.
THIS ZONE IS IN THE AREA OF LOFOTEN AND COVERS THE JENNEGGA
MALENGSGRUNNEN BANK. IT WILL BORDER NORWAY'S CURRENT 12-
MILE FISHING LIMIT AND WILL BE APPROXIMATELY 10 MILES WIDE BY
100 MILES LONG. IT INCLUDES AN AREA IN WHICH NORWAY'S
LONG LINE AND GILL NET FISHERMEN OPERATE IN NOVEMBER AND
DECEMBER. THERE HAVE BEEN INCREASING INCIDENTS IN RECENT
YEARS OF TRAWLERS TEARING UP NETS IN THIS AREA, BUT THE
GOVERNMENT WILL HAVE TO MOVE QUICKLY IF IT IS GOING TO
ESTABLISH THE ZONE BY NOVEMBER. TRAWLERS MAY BE KEPT OUT
OF IT ONLY DURING NOVEMBER AND DECEMBER. A SECOND TRAWL
FREE ZONE 20 TO 30 MILES NORTH OF FINNMARK COVERING THE
NORDKAPPBANKEN IN THE BARENTS SEA WAS CONSIDERED
BUT IS BELIEVED TO HAVE BEEN DISCARDED BECAUSE
IT IS LOCATED ALONG THE SOVIET SEA ROUTE TO THE
NORWEGIAN SEA AND BECAUSE IT IS TOO FAR OFF SHORE.
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5. THE GOVERNMENT WILL ALSO TRY TO NEGOTIATE AT THE EXTRAORDINARY NEAFC MEETING ON NOVEMBER 4 A QUOTA AGREEMENT FOR ARCTIC COD TO REPLACE THE U.K./NORWAY/USSR AGREEMENT WHICH BROKE DOWN WHEN NON-MEMBER COUNTRIES GREATLY EXCEEDED THE CATCH ALLOCATED TO THEM UNDER THE AGREEMENT AND THE USSR EXERCISED ITS CONSEQUENT RIGHT TO WITHDRAW. PROSPECTS ARE NOT, HOWEVER, PROMISING FOR QUOTA LEVELS WHICH WILL BE CONSERVATIONALLY ACCEPTABLE TO NORWAY, AND THE USSR HAS ALREADY INDICATED DIFFICULTIES WITH A PROPOSAL WHICH WOULD INCREASE THE PERMISSIBLE CATCH THIS YEAR FROM 550,000 TONS TO 700,000 TONS. OTHER PROGRAMS INCLUDE A THOROUGH REVIEW OF THE FISHING INDUSTRY AND OF GOVERNMENT ASSISTANCE TO IT WITH A VIEW TO MODERNIZING AND RATIONALIZING IT AND TO PUTTING IT ON A YEAR ROUND FOOTING.

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6. PRELIMINARY SOUNDINGS ON THE PRINCIPLE OF TRAWL FREE ZONES TAKEN BY NORWAY AT CARACAS REVEALED A RELATIVELY FORTHCOMING BRITISH AND WEST GERMAN ATTITUDE, ALTHOUGH THE USSR WAS NON-COMMITAL. ELIASSEN RECOGNIZES THAT THE LEGAL BASIS FOR TRAWL FREE ZONES IS DUBIOUS AND EVENSEN HAS SAID THAT LAW ON THE ISSUE IS VAUGE. NORWAY OBVIOUSLY HOPES THAT THE PRINCIPAL AFFECTED COUNTRIES WILL SHOW UNDERSTANDING FOR NORWAY AND WILL NOT BRING THE ISSUE TO THE WORLD COURT. THE NORWEGIANS

ARE ALSO HOPEFUL THAT THE RESUMED SESSION OF THE LOS CONFERENCE IN MARCH WILL TAKE SOME ACTION TO PERMIT EXTENDED FISHING LIMITS BEFORE A CASE COULD COME UP IN THE HAGUE COURT.

7. THE PROPOSAL TO INTRODUCE A 50-MILE LIMIT IS NO MORE THAN A DECLARATION OF INTENT PENDING ACTION ON EXTENDED FISHING LIMITS AT THE LOS CONFERENCE IN MARCH. ALL NORWEGIAN OFFICIALS TO WHOM THE EMBASSY HAS SPOKEN HAVE CONFIRMED THIS, AND THE GOVERNMENT HAS BEEN CAREFUL TO AVOID SETTING A DATE FOR INTRODUCTION OF THE 50-MILE LIMIT. THE IMMEDIATE PROGRAM, THEREFORE, BOILD DOWN TO ESTABLISHMENT OF ONE LIMITED ZONE WHERE TRAWLING WILL BE RESTRICTED, PERHAPS FOR ONLY TWO MONTHS OF THE YEAR. ALTHOUGH THE GOVERNMENT'S ANNOUNCEMENT ON SEPTEMBER 26 WAS WIDELY WELCOMED, IT REMAINS TO BE SEEN WHETHER PRESSURE WILL NOT BUILD UP AGAIN WHEN THE MARGINAL NATURE OF THE PROGRAM IS REALIZED. BRATTELI TOLD ME IN AUGUST THAT HE FEELS THAT HE CAN KEEP THE QUESTION OF UNILATERAL EXTENSION UNDER WRAPS (OSLO 3781), AND THE GOVERNMENT BELIEVES ITS PROGRAM IS THE LEAST THAT MUST BE DONE. THE STAKES ARE HIGH FOR THE LABOR PARTY WHICH RELIES ON SUPPORT FROM FISHERMEN IN NORTH NORWAY. AGREEMENT ON REASONABLE QUOTAS FOR ARCTIC DOC AT NEAFC WILL HELP ENORMOUSLY, BUT THE FISHING LIMIT ISSUE IS EXPECTED TO BE A SOURCE OF DISCONTENT AND TROUBLE FOR THE GOVERNMENT UNTIL AT LEAST A 50-MILE LIMIT, EITHER UNILATERALLY OR PREFERABLY WITHIN THE FRAMEWORK OF THE LOS CONFERENCE IS PROMULGATED.
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